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### Dumont DPW cited by state over contamination, but paperwork is missing

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Environmental contamination at Dumont's public works building that has been neglected for a decade will be referred to the state attorney general, officials said this week.

Council members say that paperwork regarding the contamination at 1 Aladdin Place is missing from Borough Hall.

"I think there's very possibly criminal culpability here," said Borough Attorney Gregg Paster. "It's derelict in duty on many levels."

A 1997 deal between the borough and the state Department of Environmental Protection required a cleanup of the site. But

that agreement was ended in 2000, after the borough failed to respond to a request for revisions to the plan.

Nothing has happened at the site after that, according to a DEP letter dated Sept. 29, which ordered the borough to clean up soil and groundwater contamination that dates back to at least 1986.

The letter followed inspections by state officials in July and September that were part of a larger effort to clear a backlog of contaminated sites from the state's roster, said DEP spokesman Larry Hajna.

Hajna said there are several thousand leaking underground storage tanks on non-residential property statewide listed in the DEP's files.

Borough Administrator John Perkins said there were no records on file regarding the DPW site when the DEP letter came in. Perkins, however, retrieved hundreds of pages of documents from Nowell Amoroso Klein Bierman, a Hackensack law firm that

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represented the borough in the late 1990s and early 2000s.

The Record reviewed all available files after submitting a request last week to the borough under the Open Public Records Act.

Donald Winant, who was mayor from 1992 until he resigned in 2003, said that testing and other investigation was done during his administration, and that he found it hard to believe that none of the documentation was at borough hall.

"You couldn't lose that much paperwork," Winant said. "For them to sit back now and say they don't have records and don't have files is ludicrous."

Winant accused the current council of trumping up an issue shortly before a council election. Winant is a Republican. The council is composed of five Democrats, one Republican and a Democratic mayor.

But Democrats on the council said the cleanup mirrors management issues they found upon taking office, including \$1 million in unpaid bills.

"I am deeply saddened and frankly, angry as hell that documents related to such an important matter would not be found," said

Mayor Matthew McHale.

The council has asked Borough Engineer T&M Associates to prepare a cleanup proposal. Bill Matulewicz, a hydrogeologist at T&M, said further testing would be needed to assess current pollution levels.

"Based on the review I've done to date, that plume appears to be stabilized and appears not to be getting larger, which is a good thing," Matulewicz said. Gasoline spills "do tend to remediate themselves" because of bacteria in the ground that help break down the chemicals, he said.

Perkins said the Borough's insurance will not pay for the investigation and cleanup.

There appear to be two types of contamination at the two sites, according to Leggett, Brashears & Graham Inc., a firm that investigated the site pursuant to the memorandum of agreement and wrote a cleanup proposal in 1998.

The report said chemicals commonly found

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in coal ash called polyaromatic hydrocarbons exist throughout the site. The borough discovered the same chemicals at nearby Twin-Boro Field earlier this summer.

Leggette and a current consultant both said the compounds probably came from fill used to cover over an area that once housed a sewage treatment plant shared by Bergenfield and Dumont.

Groundwater at the sites also contained petroleum products that seeped from several underground storage tanks. Tests in the early and mid-1990s showed high levels of benzene, toluene, ethylbenzene and xylenes in the groundwater. Benzene is a known carcinogen.

The Leggette report suggested further groundwater and soil testing. If chemical levels were decreasing, the pollution might be dissipating on its own, the report said. But the DEP wanted the plan to incorporate more testing and investigation, the department letter said. The borough never made the requested changes to the plan, and the agreement was terminated.

A letter from Leggette in 2000 in response to a borough attorney's inquiry about the agreement said the borough never decided whether to proceed. An attorney for the

borough at the time, William DeLorenzo, sent follow-up letters in 2001 and 2002 to the borough administrator asking for direction. No answers appear in the borough's files.

The groundwater at the DPW sites flows northeast into the Hirshfield Brook, the report said.

The DEP divided the groundwater contamination into two separate cases — one at the current DPW property, and one nearby on Aladdin Avenue.

A 1,000-gallon leaking gasoline tank and contaminated soils near it were removed from the ground in 1990 on the former DPW site. The northern portion of that site now houses an apartment building. More than 600 gallons of gasoline may have leaked into the ground in the 1980s, the DEP letter said.

A separate leaking gasoline tank was removed from the current DPW site in 1987. People who were there for the excavation smelled gasoline and saw a sheen in storm drains near the underground tanks. A hole

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was found in the bottom of the tank, the DEP letter said. Soil was removed, but no further testing was done at the time, according to the letter.

That created another gasoline plume, according to the Leggette report.

Gasoline was found repeatedly in two of the monitoring wells on site during testing in the early to mid-1990s, and petroleum-related chemicals were found in the groundwater in other wells, the report said.